

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL UNDER 37 C.F.R. 1.53(d)
Submit an original and a duplicate for fee processing

19½/Ref
under 1.53(d)

ATTORNEY DOCKET NUMBER	FIRST NAMED INVENTOR	TOTAL NO. OF PAGES
<u>P58317US2</u>	<u>Jim APPINO</u>	<u>2</u>

Address to:

Assistant Commissioner of Patents
Box CPA
Washington, D.C. 20231

This is a request for filing a [X] continuation or [] divisional application for **DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE USED IN THE DEVICE** under 37 C.F.R. 1.53(d) of prior application 08/865,044 filed on May 29, 1997, entitled by the following inventor(s):

Jim APPINO
Jean-Marc AIACHE

1. [] Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. [] A preliminary amendment is enclosed.
3. [] Cancel claim(s) _____ for purposes of lessening filing fees.
4. [X] The application filing fee is deferred under 37 CFR 1.53(f).
5. [] This application is filed by fewer than all the inventors ~~named in~~ ^{named in} the prior application, 37 CFR 1.53(d)(4).
a. [] **DELETE** the following inventor(s) named in the prior nonprovisional application:



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OCT 18 1999

12/28/2000 HDENDY 00000001 061358 08865044

01 FC:131 760.00 CH

- b. [] The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

6. [] A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
7. [] Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 less the cited references which was filed in the prior nonprovisional application which is relied on for an earlier filing date under 35 U.S.C. 120 and was not

Adjustment Date: 01/17/2001 RHARJON considered by the Examiner.

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8. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer claimed.

9. Petition to extend the life of the above prior nonprovisional application to at least the date hereof

(One box) is being filed concurrently herewith
NOTE: (must be) was previously filed
 (X'd) is not necessary

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358. A duplicate of this paper is attached.

10. Also enclosed is:

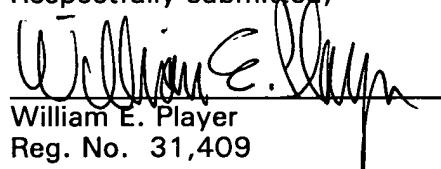
Address all future correspondence to:

JACOBSON, PRICE, HOLMAN & STERN, PLLC
The Jenifer Building
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666
Customer No. 000136



Respectfully submitted,

By:


William E. Player
Reg. No. 31,409

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400 Seventh Street, N.W.
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Atty. Docket No.: P58317US2
Date: October 12, 1999

Filed under 37 CFR 1.34(a)